IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

MFA.No. 1295 of 1998(B)

OPMV.2197/1992 of MOTOR ACCIDENT CLAIMS TRIBUNAL, MANJERI
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APPELLANT: PETITIONER

SAIFUDHEEN (MINOR),
S/O.BEERANKUTY, REP.BY GUARDIAN FATHER
BEERANKUTTY, S/O.UNNIMAMMED,
CHOHATTUKUZHIYIL, P.O. URNGATTIRI,
ERNAD TALUK.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS: RESPONDENTS
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1. **P.M.ABDURASSAK, S/O.MUHAMMED,**
   MADATHIPARAMBA HOUSE, AREACODE,
   MALAPPURAM DISTRICT

2. **VALIYA PEEDIKAKKAL SUBAIR, S/O.HAMZ,A**
   URNGATTIRI AMSOM, MOORKANAD,
   MALAPPURAM DISTRICT.

3. **ORIENTAL INSURANCE CO. LTD.,**
   MALAPPURAM.

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

M.F.A.NO.1295 OF 1998 (B)

Dated this the 27th day of July, 2007

J U D G M E N T

KOSHY,J.

Appellant at the age of 6 met with an accident by which he suffered certain injuries. Rs.41,000/- was claimed as compensation. He was treated in the Government Hospital, Areacode. Tribunal found that no permanent disability was caused due to the accident and no evidence was produced regarding the permanent disability occurred due to injury except O.P. ticket. No medical certificate was also produced. Yet tribunal awarded Rs.9,000/- with 12% interest from the date of application, that is, 19.8.1992. Award was passed only in the year 1998. Considering the nature of injuries, age of the claimant at the time of accident and the rate of interest granted, we are of the opinion that just and reasonable

compensation was awarded and no enhancement is necessary and hence this appeal is dismissed.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO.1295 OF 1998 ()

J U D G M E N T

27th July, 2007